

IN THE UNITED DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

BETTY J. CHRISTIAN

PLAINTIFF

VS.

CAUSE NO.: 3:17-CV-106-JMV

NANCY BERRYHILL  
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

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**ORDER ON PETITION FOR ATTORNEY FEES**

Before the Court is Plaintiff's motion for attorney fees pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412(d). In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment dated April 12, 2018, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees and expenses in the amount of \$4,771.50 on the grounds that she was the prevailing party and the Commissioner's position was not "substantially justified." The Acting Commissioner states she has no objection to the motion but requests that any award be made payable directly to Plaintiff in accordance with the Supreme Court's decision in *Astrue v. Ratliff*, 560 U.S. 586 (2010).

For good cause shown, the Court finds Plaintiff is entitled to an award of fees; the requested amount of fees is reasonable; no special circumstances would makes this award unjust; and the award should be made payable to Plaintiff.

**THEREFORE, IT IS ORDERED:**

That the Acting Commissioner shall promptly pay to Plaintiff a total of \$4,771.50 in attorney fees for the benefit of counsel for Plaintiff.

SO ORDERED AND ADJUDGED, this the 10<sup>th</sup> day of July, 2018.

/s/ Jane M. Virden  
U.S. MAGISTRATE JUDGE